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PAGE 02

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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STEVE S. LAM and SAMMY JACKSON,	: 09 Civ. 5700 (BSJ) (GWG)
	: .
Plaintiffs,	: ECF CASE
	: .
-against-	: .
	: .
THE NEW YORK TIMES COMPANY, CITY	: <u>STIPULATION AND ORDER OF</u>
AND SUBURBAN DELIVERY SYSTEMS, INC.:	: <u>DISMISSAL</u>
and THE NEWSPAPER AND MAIL	: .
DELIVERERS UNION,	: .
	: .
Defendants.	: .
----- X	

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties herein, that the above-captioned action be, and the same hereby is dismissed in its entirety without attorneys' fees, costs or disbursements to any party, in accordance with the following:

1. All claims asserted against Defendants The New York Times Company and City & Suburban Delivery Systems, Inc., are dismissed with prejudice, with the sole exception of any claims resulting from or that could result from an adverse determination by the Plan Administrator under the claim procedure outlined in Article VII of the City & Suburban Delivery Systems, Inc. January 2009 Severance Pay Plan For Eligible Employees Represented by the Newspaper and Mail Deliverers' Union of New York and Vicinity, which claims are dismissed without prejudice.
2. All claims asserted against The Newspaper and Mail and Deliverers' Union are dismissed with prejudice.

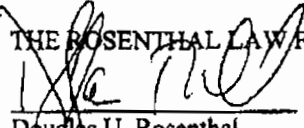
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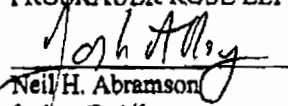
PAGE 03

Dated: New York, New York  
October 21, 2009

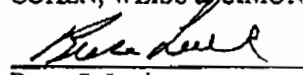
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SO ORDERED this 20<sup>th</sup> day of October, 2009

  
HON. BARBARA S. JONES

11/20/09